

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

VITALIY STRIZHEUS, NATALIYA STRIZHEUS, Plaintiffs, vs. THE CITY OF SIOUX FALLS, SOUTH DAKOTA, Defendant.	4:23-CV-04028-RAL ORDER GRANTING UNOPPOSED MOTION TO FILE A SUBSTITUTED SECOND AMENDED COMPLAINT AND JOINT MOTION TO STAY DEADLINES
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On April 18, 2023, the parties made a Joint Motion to Stay Deadlines requesting a 60-day stay. Doc. 44. Plaintiffs had previously filed an Unopposed Motion to Withdraw Motion for Leave to File Second Amended Complaint (Doc. 36) and Motion for Leave to File a Substituted Second Amended Complaint. Doc. 41. For good cause it is

ORDERED that Plaintiffs' Unopposed Motion to Withdraw Motion for Leave to File Second Amended Complaint is granted and that the prior motion to Amend Complaint, Doc. 36, is denied as moot. It is further

ORDERED that the Motion for Leave to File a Substituted Second Amended Complaint, Doc. 41, is granted under Federal Rule of Civil Procedure 15 and Plaintiffs have leave to file and serve the Substituted Second Amended Complaint in the form attached as Doc. 41-1. It is further

ORDERED that the Joint Motion to Stay Deadlines, Doc. 44, is granted to stay the case for 60 days to allow the parties to exhaust settlement discussions. It is further

ORDERED that Defendant's response to the Second Amended Complaint is due 21 days from when the stay is lifted. It is finally

ORDERED that this Court will treat Defendant's Motion to Dismiss with Prejudice, Doc. 34, as applying to the Second Amended Complaint unless Defendant wishes to withdraw the motion to file a revised motion to dismiss.

DATED this 19th day of April, 2023.

BY THE COURT:



ROBERTO A. LANGE
CHIEF JUDGE